REMARKS

Reconsideration of this application as amended is respectfully requested.

In the Office Action, claims 1-40 and 74 were pending and rejected. In this response, no claim has been canceled. Claims 1, 21, and 74 have been amended. No new matter has been added.

Claims 1-20 are rejected under 35 U.S.C. 101 as non-statutory because the method claims as presented do not claim a technological basis. In view of the foregoing amendments, it is respectfully submitted that the rejection have been overcome.

Claims 1-4, 6-7, 9-14, 16-17, 19-22, 74 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,026,383 of Ausubel ("Ausubel") in view of U.S. Patent No. 5,715,402 of Popolo ("Popolo") in further view of U.S. Patent No.: 6,178,431 of Douglas ("Douglas").

In view of the foregoing amendments, it is respectfully submitted that claims 1-40 and 74 include limitations that are not disclosed by the cited references, individually or in combination.

Specifically, for example, independent claim 1 as amended recites as follows:

1.   A computer implemented method of conducting an electronic online auction on behalf of a buyer, wherein the auction is between a plurality of potential bidders, competing to supply a lot having at least one product to the buyer, the method comprising:
>   receiving electronically at a server first bid information for a lot from a first
>>   bidder of a first remote site over a network, said received first bid
>>   information representing a first bid that is <u>originally defined in a
>>   context of said first bidder according to one or more first comparative
>>   bid parameters associated with the first bidder using a first transform
>>   function associated with the first bidder</u>;
>   storing information reflective of said submitted first bid, said stored
>>   information enabling a relative comparison of submitted bids, including
>>   said first bid, on a common competitive basis;

converting within the server the first bid information into a second bid information defined in a context of a second bidder <u>according to one or more second comparative bid parameters associated with the second bidder, using a second transform function associated with the second bidder, the second transform function being different than the first transform function</u>; and

transmitting electronically the second bid information to the second bidder over the network, said transmitted second bid information representing the first bid information of the first bidder in view of the second comparative bid parameters of the second bidder and enabling said second bidder to view said first bid originally defined in said context of said first bidder in said context of said second bidder, <u>such that the second bidder is able to view other bid information from other bidders including the first bidder in view of a specific format desired by the second bidder,</u>

wherein <u>the first bidder and the second bidder are different seller parties, and the buyer is different from the first bidder and the second bidder.</u>

(Emphasis added)

Independent claim 1 as amended is related to a "reverse auction" in which multiple sellers, as bidders, bidding to supply a lot of items sought by a buyer. Each bidder (e.g., seller) utilizes different formulas or transform functions to calculate its respective comparative parameter (e.g., bidding price). In response to a bidding information received from a first bidder (e.g., first seller), an auction server converts the bidding information into a specific format required by a second bidder.(e.g., second seller), such that the bidding information of a first bidder can be displayed at the second bidder's screen according to a specific format required by the second bidder (see, for example, Figs. 6A-6C of the present application).

As a result, the second bidder can easily view other bidding information from other bidders (e.g., the first bidder) in the same format and easily compare its own bidding information with other bidding information from other bidders. It is respectfully submitted that the above limitations are absent from the cited references, individually or in combination.

In contrast, as discussed in a previous response, Ausubel is related to an ordinary auction where multiple buyers bidding on an object provided by a seller (see Abstract of

Ausubel). The bidders of Ausubel are not the same bidders as in the present application, where the bidders of the present applications are sellers while the bidders of Ausubel are buyers.

In addition, Ausubel also fails to disclose or suggest presenting the bidding information from other bidders to a specific bidder in a specific format of the specific bidder using a transform function associated with that specific bidder, such that that bidder can view other bidding information from other bidders in the same format for the purpose of comparison.

Similarly, as discussed in the previous response, Popolo is also related to an ordinary auction (or "forward" auction) matching a buyer and a seller, where "a buyer may bid on part or all of an item posted and the seller may accept or reject any bid." (see Abstract of Popolo).

The Office Action stated that col. 14, lines 50-54; col. 15, lines 1-60; and col. 16, lines 1-24 of Popolo read on the above limitations (see 6/30/2005 Office Action, page 5). Applicant respectfully disagrees. The cited sections of Popolo are related to displaying a buyer's menu, which is completely different than transforming and presenting bidding information a first bidder (e.g., a first seller) to a second bidder (e.g., a second seller). Again, Popolo is related to displaying information between a buyer and a seller, while the present application is related transforming and correlating bidding information among the bidders or sellers. It appears that Popolo and the present application teach away from each other.

Douglas is related to a method and system for providing side notes in a word processing document that a user can view the side notes from another user in the same document, which is completely unrelated to online auction, particularly, a reverse auction as recited in the amended claim 1.

As set forth above, it is respectfully submitted that there is no disclosure within Ausubel, Popolo, and Douglas to combine with each other. Even if they were combined, such a combination still lacks the limitations set forth above. After all, none of the cited references is related to a reverse auction having the limitations set forth above. Therefore, for the reasons set forth above, it is respectfully submitted that independent claim 1 as amended is patentable over the cited references.

Similarly, independent claims 21 and 74 include limitations similar to those recited in claim 1. Thus, for the reasons similar to those discussed above, it is respectfully submitted that claims 21-74 are patentable over the cited references. Given that the rest of the claims depend from one of the above independent claims, it is respectfully submitted that the rest of the claims are patentable over the cited references.

Claims 5, 15, 25 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ausubel in view of Popolo in further view of Douglas as applied above, and further in view of U.S. Patent No. 3,637,464 of Walsh et al. ("Walsh"), and U.S. Patent No. 5,794,207 of Walker et al. ("Walker").

It is respectfully submitted that Walsh and Walker also fail to disclose the limitations set forth above. As discussed in the previous response, Walker is related to a system that allows prospective buyers of goods and services to communicate a binding purchase offer globally to potential sellers (see Abstract of Walker) while Walsh is related to coke production, which have nothing to do with online auction, particularly, a reverse online auction.

Furthermore, there is no disclosure within these references (e.g., 5 different references) to combine with each other. It is respectfully submitted that one with ordinary skill in the art would not, based on the teachings of these references (e.g., 5 different references), to combine

with each other. Such a suggestion can only be found based on the impermissible hindsight of Applicant's own disclosure. Therefore, in addition to those reasons applied to their respective independent claims, claims 5, 15, 25 and 35 are patentable over the cited references.

In view of the foregoing, Applicant respectfully submits the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

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